

Appl. No. 09/938,112
Reply to Office action of July 9, 2004

Remarks

Claims 21, 22, 36, 37, 67-75, 77, and 78 were pending. By way of this response, claims 21, 36, 37, 67, 69-71, 73, 74, 75, 77, and 78 have been amended. Accordingly, claims 21, 22, 36, 37, 67-75, 77, and 78 remain pending.

Applicant gratefully acknowledges the Examiner's holding that claims 21, 22, 36, 37, 67, 68, 70-72, 77, and 78, are allowed. Applicant understands based on the telephone conversation with applicant's representative, Dr. Greg S. Hollrigel, that although the above-identified claims are indicated as being allowable, that the Examiner believes amendments to the claims make the claims read more clearly. The claims have been amended substantially as suggested by the Examiner.

Rejection Under 35 U.S.C. § 112, second paragraph

Claims 69 and 73-75 have been rejected under 35 U.S.C. § 112, second paragraph.

Applicant does not agree with the rejection or the remarks made by the Examiner. However, to advance the prosecution of the subject application, claims 69 and 73-75 have been amended to make the claims read more clearly.

In view of the above, applicant submits that the claims satisfy the requirements of 35 U.S.C. § 112, second paragraph, and respectfully requests that the rejection of the present claims based on this statutory provision be withdrawn.

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Allowed Claims

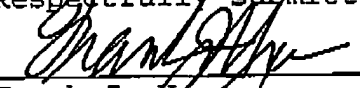
Claims 21, 22, 36, 37, 67, 68, 70-72, 77, and 78 are indicated as being allowable. In view of the amendments to the claims set forth herein, applicant submits that all of the present claims, that is claims 21, 22, 36, 37, 67-75, 77, and 78, are in condition for allowance.

Conclusion

In conclusion, applicant has shown that the present claims satisfy the requirements of 35 U.S.C. § 112. Therefore, applicant submits that the present claims, that is claims 21, 22, 36, 37, 67-75, 77, and 78, are allowable. Therefore, applicant respectfully requests the Examiner to pass the above-identified application to issuance at an early date. Should any matters remain unresolved, the Examiner is requested to call (collect) applicant's attorney at the telephone number given below.

Date: OCTOBER 8, 2004

Respectfully submitted,


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